

AMENDMENT

Kindly amend the application, without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents as follows:

IN THE CLAIMS:

Kindly amend the claims, without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents as follows:

1. (Currently Amended) A vaccine ~~An immunogenic~~ composition to induce ~~an a~~ protective immune response against West Nile virus (WNV) in an animal susceptible to WNV comprising a vector comprising a recombinant virus or DNA plasmid that encodes and expresses *in vivo* in the animal WNV E; WNV prM and E; WNV M and E; WNV prM, WNV M and E, WNV polyprotein prM-E, WNV polyprotein M-E, or WNV polyprotein prM-M-E.
2. (Currently Amended) The vaccine ~~immunogenic~~ composition of claim 1 wherein the recombinant virus is a recombinant adenovirus, herpesvirus or poxvirus.
3. (Currently Amended) The vaccine ~~immunogenic~~ composition of claim 2 wherein the recombinant virus is a recombinant poxvirus.
4. (Currently Amended) The vaccine ~~immunogenic~~ composition of claim 3 wherein the recombinant poxvirus is a recombinant avipox virus.
5. (Currently Amended) The vaccine ~~immunogenic~~ composition of claim 4 wherein the recombinant avipox virus is a canarypox or fowlpox virus.
6. (Currently Amended) The vaccine ~~immunogenic~~ composition of claim 5 wherein the canarypox virus is ALVAC and the fowlpox virus is TROVAC.
7. (Currently Amended) The vaccine ~~immunogenic~~ composition of claim 1 wherein the nucleic acid molecule is a coding frame encoding polyprotein prM-M-E.
8. (Currently Amended) The vaccine ~~immunogenic~~ composition of claim 5 wherein the nucleic acid molecule is a coding frame encoding polyprotein prM-M-E
9. (Currently Amended) The vaccine ~~immunogenic~~ composition of claim 6 wherein the nucleic acid molecule is a coding frame encoding polyprotein prM-M-E

10. (Currently Amended) The vaccine immunogenic composition of claim 1 wherein the nucleic acid molecule comprises nucleotides 466-741, 742-966 and 967-2469 of GenBank AF196835 encoding WNV prM, M and E, respectively.

11. (Currently Amended) The vaccine immunogenic composition of claim 1 wherein the nucleic acid molecule comprises nucleotides 466-2469 of GenBank AF196835 (SEQ ID NO: 66) encoding WN protein prM-M-E.

12. (Currently Amended) The vaccine immunogenic composition of claim 1 wherein the nucleic acid molecule comprises nucleotides 421-2469 of GenBank AF196835 (SEQ ID NO: 66) encoding WN protein prM-M-E and the signal peptide of prM.

13. (Currently Amended) The vaccine immunogenic composition of claim 1, further comprising an adjuvant.

14. (Currently Amended) The vaccine immunogenic composition according to claim 10, wherein the adjuvant is a carbomer.

15. (Currently Amended) The vaccine immunogenic composition of claim 1 further comprising an antigen or immunogen or epitope thereof of a pathogen other than WNV of the animal, or a vector that contains and expresses *in vivo* in the animal a nucleic acid molecule encoding the antigen, immunogen or epitope thereof, or an inactivated or attenuated pathogen other than WNV of the animal.

16. (Currently Amended) The vaccine immunogenic composition of claim 1, wherein the animal is a cat or a horse.

17. (Currently Amended) A method for inducing ~~an immunological or a protective~~ immune response against WNV in an animal comprising administering to the animal the ~~immunogenic or vaccine~~ composition according to claim 1.

18. (Currently Amended) A method for inducing ~~an immunological~~ a protective response against WNV in an animal comprising administering to the animal the immunogenic or vaccine composition according to claim 17, wherein the composition additionally comprises an adjuvant.

19. (Currently Amended) The method according to claim 18 wherein the adjuvant comprises a carbomer adjuvant.

20. (Currently Amended) A method for inducing ~~a protective immune an immunological~~ response against WNV and a second pathogen in an animal ~~and against another~~

~~pathogen of the animal~~ comprising administering to the animal the immunogenic composition according to 159.

21. (Currently Amended) A method for inducing a protective immune ~~an immunological~~ response against WNV in an animal comprising administering to the animal (a) the vaccine immunogenic composition according to claim 1, and (b) a WNV isolated antigen, immunogen or epitope thereof, wherein (a) is administered prior to (b) in a prime-boost regimen, or (b) is administered prior to (a) in a prime-boost regimen, or (a) and (b) are administered together, either sequentially or in admixture.

22. (Original) The method of any of claims 17, 20 or 21, wherein the animal is a cat or a horse.

23-29. (Cancelled)